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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/552,798	10/11/2005	Paolo Serenellini	05268-PCT-PA	2474

7590 02/12/2007  
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EXAMINER
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PRICE, CARL D

ART UNIT	PAPER NUMBER
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3749

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	02/12/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

# Office Action Summary

Application No.

10/552,798

Applicant(s)

SERENELLINI, PAOLO

Examiner

CARL D. PRICE

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1 and 2 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1 and 2 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_.

## DETAILED ACTION

### **Claim Rejections - 35 USC § 112**

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-2 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 recites the limitation "the body of the burner", "the perimeter", "the collar" and "the upper surface". There is insufficient antecedent basis for this limitation in the claim.

Claim 2 recites the limitation "the traditional set". There is insufficient antecedent basis for this limitation in the claim.

### **Claim Rejections - 35 USC § 103**

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1 and 2 are rejected under 35 U.S.C. 103(a) as being unpatentable over PT00080274 A (Saleri) in view of US005040970 (Riehl) in view of WO00/40900 (Lakayci).

PT00080274 A (Saleri) shows and discloses a crown for a gas cooker including:

- a disk (8) with three feet (11) used to place and centre the disk on the body (2) of the burner;
- the disk having a central hole (10) defined by a collar (9) and a large annular crown (14);

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- the disk has a reticulation of stiffening radial ribs (11) which extend from the perimeter (14) of the crown to the collar (10) that limits the hole (9), and
- an annular groove (12) on an upper surface of the disk (8).

**PT00080274 A (Saleri)** shows and discloses the invention substantially as claimed with possible exception to:

- the crown being made of one piece of moulded aluminium, and
- a large annular crown provided with a dense series of radial notches; and
- wherein the disk (8) is provided with three feet in addition to the three feet of the disk.

**US005040970 (Riehl)** teaches form applicant's same burner crown field of endeavor, burner body means (23) and removable cap means (29) of a burner construction (20) being formed of any suitable material or combination of materials, such as metallic material such as of die cast aluminum.

**US005040970 (Riehl)** discloses the following:

"While the burner body means 23 and removable cap means 29 of the burner construction 20 of this invention can be formed of any suitable material or combination of materials, such as metallic material, one working embodiment thereof has the body means 23 and cap means 29 each formed of die cast aluminum RMS-105 with the body means 23 being a one-piece member and with the open end means 25 thereof being defined by an annular wall 31 extending upwardly from a wall 32 that defines the closed end means 26 of the body member 23, the wall means 32 having an annular extension 33 for extending outboard of the upstanding annular wall 31 as illustrated."

**WO00/40900 (Lakayci)** teaches form applicant's same burner crown field of endeavor, forming burner nozzle or fuel mixture outlet means in a large annular crown portion as a dense

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series of radial notches (not referenced) and wherein the crown disk (2) is provided with three feet (23) in addition to the three centering feet (6) of the disk.

In regard to claims 1 and 2, for the purpose of forming the burner components suitable material, it would have been obvious to a person having ordinary skill in the art to form the burner crown of **PT00080274 A (Saleri)** from die cast aluminum, in view of the teaching of **US005040970 (Riehl)**. Also, in regard to claims 1 and 2, for the purpose providing an alternative burner port or fuel nozzle arrangement, it would have been obvious to a person having ordinary skill in the art to modify the burner crown of **PT00080274 A (Saleri)** to form the nozzle or fuel mixture outlet means a dense series of radial notches to form alternative flame ports, in view of the teaching of **WO00/40900 (Lakayci)**. And, in regard to claim 2, for the purpose of providing additional means to support the burner crown on the burner base, it would have been obvious to a person having ordinary skill in the art to modify the burner crown of **PT00080274 A (Saleri)**, to include three centering feet and three additional feet, in view of the teaching of **WO00/40900 (Lakayci)**.

### Conclusion

See the attached USPTO for, 892 for prior art made of record and not relied upon which is considered pertinent to applicant's disclosure.

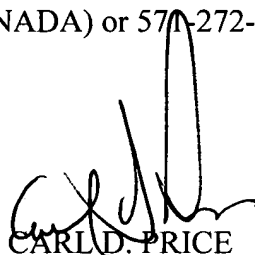
### USPTO CUSTOMER CONTACT INFORMATION

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CARL D. PRICE whose telephone number is (571) 272-4880. The examiner can normally be reached on Monday through Friday between 6:30am-3:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Josiah Cocks can be reached on (571) 272-4874. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



CARL D. PRICE

Primary Examiner

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CP